REMARKS

Reconsideration of this application, as amended, is respectfully requested. The following remarks are responsive to the Office Action mailed July 16, 2002.

Claims 1-17 are pending in the present application.

Claims 1-17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Publication No. 0 520 459 A2 to Flynn et al. ("Flynn") in view of U.S. Patent No. 6,122,639 to Babu et al. ("Babu"). Applicants respectfully traverse the rejection and submit that Flynn and Babu, taken alone or in combination, fail to teach or suggest the present invention as claimed.

Independent claims 1, 5, 9, and 13 recite a method and/or apparatus comprising, *inter alia*,

> repeated generation of a <u>revised update message</u>
>
> having <u>a next most recent version format</u> based on the
>
> update message until a <u>final update message</u> having
>
> <u>an upgraded version format</u> is generated.

The Office Action states that Flynn and Babu, taken alone or in combination, teach all the limitations of the present invention as claimed. Applicants respectfully disagree for the following reasons.

Looking at the cited references, Flynn discloses a method and apparatus for providing <u>a historical perspective</u> into a database of information objects through an efficient method and apparatus for versioning information objects

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stored in a database as well as an index representative of the information objects. *See* Abstract. Latest versions of each one of the information objects and each one of the entries in the index are maintained in the database. *Id.* Partial earlier versions are stored with the latest versions and contain only sufficient information about the differences between the earlier versions and the later ones so that <u>any earlier version may be reconstructed</u>. *Id.*

 Flynn fails to teach or suggest

> repeated generation of a <u>revised update message</u>
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> having <u>a next most recent version format</u> based on the
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> <u>an upgraded version format</u> is generated.

as claimed in independent claims 1, 5, 9, and 13. At most, Flynn provides historical views of a database and is concerned with reconstruction of prior versions of an information object from a latest version. For example, even in the citation referenced by the Examiner, specifically at cols. 3-4, lines 52-4, Flynn discloses that

> versioning is achieved by maintaining complete
>
> "latest" versions of each one of the plurality of
>
> information objects and each one of the plurality of
>
> index entries in the index. The "latest" version refers
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> to a version of an information object that reflects the

most recent state of an information object. Any

version that is prior to the latest version is maintained

by recording only the portions of the prior version

which represent the differences (which are referred to

as "delta changes") between it and the latest version.

The delta changes are encoded representations of the

changes that are used <u>to generate an older version of</u>

<u>an information object or index entry from the latest</u>

<u>version</u>.

(Emphasis added). *See also*, col. 5, lines 14-43 of Flynn.

In contrast, independent claims 1, 5, 9, and 13 recite a method and/or

apparatus comprising, *inter alia*,

repeated generation of a <u>revised update message</u>

having <u>a next most recent version format</u> based on the

update message until a <u>final update message</u> having

<u>an upgraded version format</u> is generated.

Looking at the second cited reference, Babu does not remedy any of the

deficiencies of Flynn. Babu is only cited for the teaching of receiving an update

message having a first version format. Babu fails to teach or suggest

repeated generation of a <u>revised update message</u>

having <u>a next most recent version format</u> based on the

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update message until a <u>final update message</u> having

an <u>upgraded version format</u> is generated.

as claimed in independent claims 1, 5, 9, and 13.

Furthermore, Flynn fails to teach or suggest a combination with Babu and Babu fails to teach or suggest a combination with Flynn. It would be impermissible hindsight based on Applicants' own disclosure to combine the teachings of Flynn and Babu in order to arrive at the present invention. Moreover, such an alleged combination would still lack the teaching of

repeated generation of a <u>revised update message</u>

having <u>a next most recent version format</u> based on the

update message until a <u>final update message</u> having

an <u>upgraded version format</u> is generated.
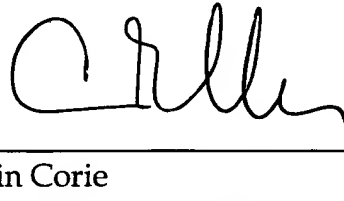
as claimed in independent claims 1, 5, 9, and 13.

As a result, Applicants respectfully submit that independent claims 1, 5, 9, and 13 are distinguishable over Flynn and Babu, taken alone or in combination, and are in condition of allowance. Claims 2-4, 6-8, 10-12, and 14-17, dependent directly or indirectly from independent claims 1, 5, 9, and 13, respectively, are also distinguishable over Flynn and Babu, taken alone or in combination, and should be allowed at least for the same reasons as stated above. Thus, in light of the above arguments, Applicants respectfully request withdrawal of the rejection and allowance of claims 1-17.

If the Examiner believes a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Florin Corie at (408) 947-8200 x206.

If there are any additional charges, please charge them to Deposit Account No. 02-2666.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

Dated: October 16, 2002

Florin Corie
Registration No. 46,244

12400 Wilshire Blvd.
Seventh Floor
Los Angeles, CA 90025-1026
(408) 947-8200